

Article - State Government

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§10–1405.

(a) (1) Except as provided in paragraph (2) of this subsection, a licensing authority shall comply with Subtitle 2 of this title before taking any action under this subtitle:

(i) in regard to an initial license application or an application for a license renewal; or

(ii) against a licensee.

(2) The Maryland Rules shall govern in the case of a lawyer or an applicant for admission to the bar.

(b) In deciding whether to deny an application for a license or whether to impose license sanctions against a licensee and the nature of the sanctions, a licensing authority shall consider:

(1) the relationship between the drug crime and the license, including:

(i) the licensee's ability to perform the tasks authorized by the license; and

(ii) whether the public will be protected if:

1. in the case of an applicant, the license is issued; or

2. in the case of a licensee, the license is not suspended or revoked;

(2) the nature and circumstances of the drug crime;

(3) the date of the drug crime, if an individual is applying for a license or license renewal; and

(4) any other relevant information.

(c) If a licensing authority decides that sanctions against a licensee may be appropriate, before imposing sanctions the licensing authority:

(1) shall consider the impact any sanctions may have on third persons; and

(2) to protect the rights of innocent third persons, may take any action that is in the interests of justice and that is not inconsistent with this subtitle.

(d) If a licensing authority decides to suspend or revoke a license, the licensing authority may grant the licensee a reasonable time period to complete any existing contracts.

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